

## Records Management

A Registered Training Organisation (RTO) is required to operate in accordance with the *Standards for Registered Training Organisations (RTOs) 2015*. This Fact Sheet has been developed to provide guidance to RTOs on the management of records, ensuring accuracy and integrity as prescribed in the Standards for RTOs.

RTOs may have additional records management obligations linked to other relevant legislation, regulation or funding contracts that are not covered in this Fact Sheet.

### Background:

The Standards for RTOs require the executive officers or high managerial agent of an RTO to ensure that the RTO cooperates with the VET regulator in the retention, archiving, retrieval and transfer of records. However, rarely do RTOs have a systematic approach to determining what records are to be managed.

All RTOs operate within a legislative and regulatory framework that is unique to their offering as an RTO. RTOs need to be proactive in determining what their obligations are and then plan how those obligations will be met.

### The Legislative and Regulatory Framework:

All businesses operating in Australia have obligations for managing information under the Privacy Act and Freedom of Information Act as a minimum.

Many organisations, including RTOs also have record keeping obligations under other legislation and regulation. The nature of those obligations is dependent upon the industry area in which the RTO operates, whether the RTO is a public or private organisation, whether the RTO is a 'for profit' or 'not for profit' organisation, the RTO's client group and many other factors. Generally, each RTO will need to consider the following hierarchy to establish their obligations:

1. Legislation
2. Regulation
3. Regulatory body guidelines and instructions
4. Funding body or contractual requirements
5. RTO's own policy and procedure requirements.

For each level of obligation, the RTO will need to consider:

**Q1** What is relevant to my RTO?

**Q2** What specific records am I required to keep?

Consider the two questions above in the following case study.

## CASE STUDY

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### BLUE WATERS

Blue Waters RTO is a private, for profit RTO operating in the Maritime Industry. The RTO offers a range of safety training for people who will work as coxswains and masters for vessels that operate in near coastal operations. Blue Waters RTO works with an additional regulator, the Australian Maritime Safety Authority (AMSA) and has a range of additional legislative and regulatory guidelines to meet for the training it provides. A few examples of these are:

- The National Standard for Commercial Vessels (NSCV) Part D—Crew Competencies
- *Navigation Act 2012*
  - Marine orders
- *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*
  - National Law Act marine orders
  - National Law standing exemptions

Each of the above has specific requirements related to the conduct of training and what records are to be retained by the training organisation.

An RTO's policies and procedures will identify what additional records are required within the organisation to satisfy record keeping requirements.

The following tables illustrate record management requirements in the areas of validation, employment conditions and appeals process for two different RTOs.

## Validation

<b>An RTO that delivers a qualification over two years with an intake every two years.</b>	<b>An RTO that delivers a single unit of competency with an intake every week.</b>
This RTO will keep a sample of assessment records for at least two years to enable validation.	This RTO will keep a sample of assessment records for 6 months to enable validation.

## Employment Conditions

<b>An RTO that has full time employees.</b>	<b>An RTO that has contract trainers and assessors.</b>
The employees of this organisation are covered by the RTO's insurance policies – no additional records are collected during the recruitment process.	The contractors of this organisation are required to maintain their own professional indemnity and public liability Insurance. Certificates of currency for both policies are collected at recruitment and updated every year for each contractor. The public liability insurance includes a seven-year run off requirement and so the RTO keeps the certificate of currency for seven years past its expiry date.

## The Appeals Process

<b>An RTO that delivers traineeships and has an appeals process that requires an appeal is lodged within seven days of the assessment result.</b>	<b>An RTO that delivers institutionally and has an appeals process that requires an appeal is lodged within 21 days of the assessment result.</b>
The RTO keeps all assessment evidence for the duration of the student's enrolment with the RTO. Although the appeals period is seven days, the RTO has determined that it is more prudent to hold the evidence for a longer period. The RTO keeps the following documents: <ul style="list-style-type: none"> <li>• the completed assessment tools</li> <li>• the marking guides</li> <li>• photos and other workplace evidence</li> <li>• supervisor feedback forms from the workplace</li> <li>• visit records from the training process</li> <li>• feedback provided to the student about their performance.</li> </ul>	The RTO keeps all assessment evidence until the end of the month following the assessment. This means that if an assessment was conducted in February, the assessment evidence will be held until the end of March and then destroyed. The RTO keeps the following documents: <ul style="list-style-type: none"> <li>• the completed assessment tools</li> <li>• the marking guides</li> <li>• photos and other evidence</li> <li>• feedback provided to the student about their performance.</li> </ul>

## Records

RTOs tend to keep lots of 'paper' and call them records - some of the paper is useful and some is not. Often the paper is kept for no clear reason other than the RTO's perception it is required for audit purposes. It's no surprise then that at audit, much of the paper that an RTO keeps is not examined by the auditors. So, what is a record?

*A Record is a document, or an object, in any form (including any electronic form) that is, or has been, kept by reason of:*

- any **information** or matter that it contains or that can be obtained from it; or
- its connection with any event, person, circumstance or thing.

*The Archives Act 1983*

## Records Management

Records Management is about **managing** the **information** in an organisation through its **lifecycle**. This will involve the RTO establishing a system or systems that ensure that the answers to the following questions are answered and the resulting records are retained, accessed and destroyed as planned.

- What Records do I need to keep?
- How long should I keep it?
- How should I keep it? – paper - electronic
- Who is responsible for the record?
- Who can access the record?
- How should it be destroyed?
- Who will destroy the record?
- How will I monitor my Record Management System is working?

A common way for RTOs to ensure that records management occurs is through the use of a **records management plan**. The [State Records Office of Western Australia](#) has several records management templates available for download. These have been established for government agencies, however may be adapted and simplified for use by private organisations.

## Storage of Records

It is recommended that all records retained by RTOs should be kept secure. Confidential information should be safeguarded to avoid exposure, damage or destruction by theft, fire, flood, vermin or pests. It is also recommended that the relevant records should be available for perusal by TAC auditors at a scheduled audit. This may involve the RTO accessing records that are archived off site. If your RTO uses off site storage for records make sure that you advise the auditor of this so that access can be arranged as part of the audit planning process.

Records can be stored in hard copy and/or electronic formats with any electronic records being backed up regularly. In the instance of electronic records, the hardware or software by which the material can be retrieved should be made available to TAC at no charge.

Information about a student should not be disclosed to a third party without the written consent of the student. However, records management procedures should ensure that students have access to their personal records when requested.

## Records for Audit Processes

RTOs are required to participate in audit processes and will need to provide records that demonstrate they are complying with the Standards for RTOs.

Each RTO will have common records, such as training and assessment strategies or Statements of Attainment and will also have unique records dependent upon the industry area they operate in, the nature of the RTO and its client group.

The **summary table** below details the type of records required and the period of retention to ensure compliance with the standards.

## Summary Table

Record Category	Description of records	Period of Retention
Records for Audit Purposes	<ul style="list-style-type: none"> <li>Attendance rolls that show the names of students, the unit/s of competency identifier and/or name, date/s of attendance and signature or initial of trainer</li> <li>Records of assessment and/or training record books that show the date of assessment/s, unit/s of competency, student name and outcome of assessment/s</li> <li>Training delivery and assessment policies and strategies for all qualifications/courses</li> <li>Assessment tools and instruments</li> <li>Recognition of Prior Learning assessment records</li> <li>Policies and procedures</li> <li>Marketing materials</li> <li>Staff qualifications</li> <li>Complaints</li> <li>If accessing public funding, all financial (including income and expenditure), enrolment and assessment records relating to any delivery</li> </ul>	Five years

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	<p>and performance agreement held with the State Training Authority.</p> <p><b>Note:</b> There is no requirement to retain originals or copies of student work for auditing purposes, however it is a requirement that a statistically valid sample of assessment is retained for validation purposes.</p>	
Records for Appeals	<p>Sufficient evidence of assessments may include:</p> <ul style="list-style-type: none"> <li>• the marking guide</li> <li>• criteria</li> <li>• training record book</li> <li>• workplace evidence and/or observation checklist for each student</li> </ul> <p>If it is possible to keep student's completed assessment items, copies of these or other evidence such as a picture of the assessment piece - these items should also be kept to support the assessment decision.</p>	Length of the appeals period
Records of Student Results, Qualifications and Statements of Attainment Issued	<ul style="list-style-type: none"> <li>• RTO registration number</li> <li>• Student's full name</li> <li>• Student's email address</li> <li>• Unique Student Identifier (USI)</li> <li>• Date of birth</li> <li>• Student ID number</li> <li>• Activity start date</li> <li>• Activity end date</li> <li>• Qualification code</li> <li>• Qualification title</li> <li>• Qualification date completed</li> <li>• Units of competency code</li> <li>• Units of competency title</li> <li>• Unit of competency outcome</li> <li>• Outcome identifier – national</li> <li>• VET delivered in secondary schools</li> <li>• Funding source – national and State Training Authority</li> <li>• Testamur/Statement of Attainment Issuance Date</li> </ul>	30 Years

## Records Following RTO Closure

When an RTO ceases to operate it should, within 10 working days of ceasing operations, contact TAC to make arrangements to transfer all student records. RTOs are required to submit student records via the National VET Provider Collection through AVETMISS to the National Centre for Vocational Education Research (NCVER).

**(Please note** – if an RTO has previously submitted student records to TAC’s Client Qualifications Register (CQR) they are **not required** to resubmit these records to AVETMISS. CQR ceased June 2017.)

Within 28 working days of ceasing operations, the RTO must:

1. submit up to date data, up to the date its registration as an RTO ceases, which is compliant with AVETMISS for the National VET Provider Collection for the time,
2. notify TAC of the submission, and
3. forward to TAC an electronic copy of any student records not captured in the National VET Provider Collection (or prior to June 2017 via TACs CQR).

## Submit AVETMISS compliant data to NCVER

Upon ceasing to operate, an RTO must submit accurate and complete AVETMISS compliant data to NCVER. Under section 6 of the *National VET Data Policy (December 2018)*:

- 6.1 If the registration of an RTO ceases for whatever reason, the RTO must submit accurate, complete and up to date data compliant with AVETMISS for the National VET Provider Collection for the time, up to the date, its registration as an RTO ceases, and notify the VET Regulator that this has occurred.
- 6.2 Where an exemption applies and the registration of an RTO ceases, the RTO must submit accurate, complete and up to date aggregate competency commencement and completion data, covering the period since its last data submission, up to the date its registration as an RTO ceases, and notify the VET Regulator that this has occurred.

**Please note:** You are also required to amend data to Outcome 41 – incomplete due to RTO closure - prior to submitting data to NCVER, rather than recording a final outcome of either:

- Outcome 40 – withdrawn/discontinued (where appropriate), or
- Outcome 70 – continuing enrolment

## Provide VET student records to the Training Accreditation Council

It is also a requirement under section 27 of the of the *Vocational Education and Training (General) Regulations 2009* that an RTO provide the Council with student records within 28 days of a cancellation decision taking effect.

The Council requires details of all student results that have not been previously provided via AVETMISS to NCVER (or prior to June 2017 via TAC's CQR.)

The following information is required for each student in an excel spreadsheet with one row per enrolment:

- RTO registration number
- Student's full name
- Student's email address
- Unique Student Identifier (USI)
- Date of birth
- Student ID number [Client ID – only if the training is government funded or VET delivered in secondary school]
- Activity start date [for each unit of competency]
- Activity end date [for each unit of competency]
- Qualification code
- Qualification title
- Qualification date completed [in DDMMYYYY format]
- Units of competency code
- Units of competency title
- Unit of competency outcome
- Outcome identifier – national
- VET delivered in secondary schools (Y/N)
- Funding source – national and State Training Authority (STA)
- Administering State/Territory [only if the record is funded by an STA]
- Testamur/Statement of Attainment Issuance Date

## Reporting Requirements

RTOs should also refer to the [Reporting Requirements Fact Sheet](#) on the TAC website for further information.